

ARTHUR R. SYPEK, JR. (AS1361)

MERCER COUNTY COUNSEL

640 South Broad Street

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By: Paul R. Adezio, Deputy County Counsel

Attorney(s) for Defendant Mercer County Board of Chosen Freeholders

**UNITED STATES DISTRICT COURT
DISTRICT COURT OF NEW JERSEY**

BRRAM, INC., a corporation organized	:	
under the laws of the Commonwealth of	:	
Pennsylvania, MS. HOLLY BUSSEY, MR.	:	
WILLIAM LYNCH, MR. RICHARD	:	
DeLELLO, MS. JULIE POWER, MR.	:	
JOHN GIACOBETTI, MS. DEBORAH	:	CIVIL ACTION NO. 14-2686 (JAP)
LEAMANN, MS. CAROLINE BONDI,	:	
MS. DELORES BRIENZA, and MR.	:	
RICHARD WAYNE,	:	
	:	
Plaintiffs,	:	Civil Action
	:	
v.	:	NOTICE OF MOTION TO DISMISS
	:	PURSUANT TO <u>FEDERAL RULES OF</u>
UNITED STATES FEDERAL AVIATION	:	<u>CIVIL PROCEDURE</u>, 12(b)(6)(1) AND 12(b)(6)
ADMINISTRATION (FAA), MERCER	:	
COUNTY BOARD OF CHOSEN	:	
FREEHOLDERS, and FRONTIER	:	
AIRLINES, INC.,	:	
	:	
Defendants.	:	DOCUMENT FILED ELECTRONICALLY

TO: Clerk, United States District Court
District of New Jersey
Clarkson S. Fisher Federal Building
402 East State Street
Trenton, NJ 08608

R. William Potter, Esq.
Potter and Dixon
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Princeton, NJ 08542-7003
Attorney for Plaintiffs

John E. Flaherty, Esq.
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100 Mulberry Street
Newark, NJ 07102
Attorney for Defendant Frontier Airlines, Inc.

J. Andrew Ruymann
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U.S. Attorney's Office, District of New Jersey
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Trenton, NJ 08608
Attorney for Federal Aviation Administration

PLEASE TAKE NOTICE that the undersigned will apply to the above named Court at the District Court of New Jersey, Clarkson S. Fisher Federal Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey, on Monday, the 15th day of September, 2014, or as soon thereafter as counsel may be heard for an Order dismissing Plaintiffs' Complaint pursuant to Fed.R.Civ.P. 12(b)(6)(1) and 12(b)(6).

The undersigned shall rely upon the Brief annexed hereto.

Pursuant to L.Civ.R. 78.1(b), oral argument is hereby waived.

A proposed form of Order is annexed hereto.

Arthur R. Sypek, Jr.
Mercer County Counsel

/S/Paul R. Adezio
By: Paul R. Adezio
Deputy County Counsel

Dated: August 18, 2014